

## REMARKS/ARGUMENTS

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

### *Priority*

In view of the objection raised in paragraph 1 certified copies of the priority applications are provided herewith.

### *Specification*

In view of the Examiner's objections raised in paragraph 2 the specification has been revised to replace the attorney docket numbers with US Application numbers where possible.

### *Claim Objections*

In view of the claim objections raised in paragraph 4 the claims have been revised as requested by the Examiner.

### *Claim Rejections – 35 USC § 102*

In paragraphs 5 and 6 the Examiner objects to the novelty of the claims on the basis of Wilz Sr. et al.

We have carefully reviewed the Examiner's rejections and we respectfully submit that the claim was both novel and inventive in its original form. However, in order to obtain speedy allowance of the case we have made certain clarifying amendments which highlight the existing distinctions between claim 1 and the cited prior art.

In particular, claim 1 relates to a laser scanning device for scanning an interface surface having coded data portions at a plurality of locations, each coded data portion being indicative of an identity of a product item. The purpose behind this is to ensure that the scanning patch is able to expose at least one of the plurality of coded data portions when the product item is provided in a sensing region regardless of the product items exact position or orientation.

Whilst we believe that this was previously inherent in the claim, due to the requirement of the coded data being formed from a plurality of portions, the claim has been revised to explicitly refer to the scanning patch being arranged such that it exposes at least one of the plurality of coded data portions when the product item is provided in a sensing region. A basis for this wording can be found in the claim as originally filed together with the associated description of the scanning device. We respectfully submit that this is not taught or suggested by Wilz Sr. et al.

In particular, there is no disclosure in Wilz Sr. et al of providing any more than one barcode associated with a respective product item. Thus, Wilz Sr. et al does not describe product items having coded data portions at a plurality of locations on the interface surface each of which is indicative of the identity of the product item. Only one barcode is provided, to ensure successful scanning it is necessary for the barcode to be provided so that it faces the laser scanner in use. As a result, it is necessary for the product item to be orientated correctly with respect to the scanner in order for successful scanning to be achieved.

Consequently, the document does describe that the scanning patch is arranged to ensure that at least one coded data portion is scanned.

In contrast to this, the current claim relates to an arrangement in which a plurality of coded data portions (tags) are provided over the surface of the product item. As a result, when the product item is positioned in the sensing region, the size of the raster scan patch is such that it ensures that at least one coded data portion is detected. Detection of at least one coded data portion allows the identity of the product item to be determined.

In this regard, we would draw the Examiner's attention to page 71 of the application which refers to the patch width having a predetermined size and to page 75 of the application which highlights that this patch width is selected to ensure that at least one hyperlabel tag is detected.

Thus, in the system of the claimed invention it is only necessary for the product item to be provided in a sensing region to thereby ensure that the identity of the product item is determined, whereas in the prior art it is necessary for the product item to be accurately positioned with respect to the scanner to ensure successful scanning.

It will therefore be appreciated by the Examiner that this represents a significant development over the prior art and will greatly assist in ensuring accurate scanning of product items.

In the event that the Examiner does accept our arguments with respect to claim 1, we would note that a significant number of novel and inventive features are set out in the dependent claims. In this regard, the Examiner explicitly objects to claims 5, to 10 referring to respective parts of the specification. We have carefully reviewed these portions of the prior art document referred to by the Examiner and there is absolutely no disclosure of either an EPC, unique product identity data which distinguished a product item from every other product item, a processor which determines the product item identity during the scan event and only generates scan data if the product identity data is different to that of previous scan events or if the product identity data has not previously been determined.

We have therefore been unable to address the Examiner's rejections to these claims, simply due to the fact that the prior art does not suggest these features in the portions of the specification to which the Examiner referred. In view of this, we respectfully submit that these features are novel and inventive over the cited prior art and if the Examiner is to maintain these rejections we request reference to line numbers which describe these features as opposed to mere reference to portions of the specification which do not suggest these features in any way.

As far as the rejections of the remaining dependent claims are concerned, we have not reviewed these at this time, simply as it has not been possible to address the earlier rejections and we therefore do not per se accept any of the Examiner's rejections at this time.

### CONCLUSION

In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 to 60, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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